



BEFORE THE MONTGOMERY COUNTY ETHICS COMMISSION

Advisory Opinion No. 10-03-003AO

A volunteer member on an advisory board associated with one of the Regional Services Centers asks whether she can contract with the County to provide information and analysis on health and human services issues to a councilmember. We conclude that this is a permissible contract because we can see no conflict between this employee's service on an advisory board and her work for the councilmember.

A public employee must not participate in any matter that affects, in a manner distinct from its effect on the public, any property or business in which the public employee holds an economic interest. The employee's volunteer service on the advisory board and her work for the councilmember do not intersect. As an advisory board member, she will not have the opportunity to participate in any matter that affects her business because the employee's "business"—her work on health and human services issues for a councilmember—is not an issue that will come before her advisory board. In the unlikely event that her contract with the County becomes a topic of discussion before her advisory board, she will have to recuse herself from that discussion.

As an uncompensated public employee, she does not require any secondary employment approval from the Commission. COMCOR 19A.06.02.02.4) (Nov. 13, 2001).

In reaching this decision the Commission has relied upon the facts as presented by the requestor.

FOR THE COMMISSION:

June 8, 2010

Date

Stuart Rick, Chair